



Administrative Policies and Procedures: 16.16

Subject:	Denial or Closure of Resource Homes
Authority:	TCA 36-1-126, TCA 37-5-106, 37-4-201 et seq, Adoption and Safe Families Act P.L. 96-272, TCA 37-4-2-1 ET SEQ, Safe and Timely Interstate Placement Act of Children in Foster Care Act of 2006 - P.L. 109-239
Standards:	DCS Practice Model Standard 501, 2-502, 2-503, 2-602, 3-102, 3-200, 3-201, 3-204, 6-100, 6-200, 6-301, 6-504B, 6-505B, 6-513B, 6-509C, 6-510C, and 6-513B
Application:	DCS Foster Care Staff and Supervisory Staff

Policy Statement:

Any application for resource parenting may be denied or an existing approved resource home may be closed if the resource parents cannot meet the minimum approval requirements, are unable or unwilling to meet the needs of children in DCS custody, do not comply with departmental policies and procedures, or are not promoting the DCS Standards of Professional Practice. Serving as a resource parent is a privilege not an entitlement.

Any identified TN resource for placement of a child/youth who is involved with the [Interstate Compact on the Placement of Children \(ICPC\)](#) who meets the criteria described in this policy may be denied or closed in accordance to this policy.

Purpose:

This policy is to inform staff and resource parents about some issues that might be grounds for denial or closure and to describe the supervisory review and resource home closure process.

Procedures:

A Potential Reasons for Denial of a Resource Parenting Application	<p>An application for resource parenting <u>may</u> be denied if the family does not meet all the requirements for an approved resource home. Appropriate reasons for denial of application include, but are not limited to:</p> <ol style="list-style-type: none">1. Failure to complete Parents as Tender Healers (PATH) pre-service training;2. Failure or refusal to furnish completed forms or required documentation within time frames requested or beyond two (2) weeks after the completion of PATH;3. Unresolved concerns from the resource home study and training process. (See DCS policy 16.4, Resource Home Approval and the <i>PATH mutual</i>
---	--

	<p><i>selection criteria.</i>) These concerns must be documented and should be behaviorally specific and include examples;</p> <ol style="list-style-type: none"> 4. Failure to meet minimum requirements for resource parents or residence; 5. Insufficient income to meet financial obligations; 6. Medical problems (physical or mental) that inhibit the ability to care for the child; 7. Unstable or irresponsible lifestyle not conducive to mental, ethical, and emotional development (i.e., history of criminal activities, alcohol/drug abuse, multiple, short-term marriages or frequent separation, frequent moves without reasonable explanations); 8. Criminal charges or conviction, particularly those that may include crimes involving children, are drug related or are felony crimes against persons; 9. History of inadequate parenting of biological or adopted children; 10. Child Protective Services case history with an indication of abuse or neglect; or 11. A voluntary withdraw the application by the applicant.
B Potential Reasons for Closure of an Existing Resource Home	<p>An existing resource home <u>may</u> be closed if the family fails to maintain all the requirements for an approved resource home. Appropriate reasons for denial of application and/or closure of an approved home include, but are not limited to:</p> <ol style="list-style-type: none"> 1. Failure to maintain the requirements for resource parents or residence; 2. Demonstrated inability to sufficiently parent children in state custody; 3. Inability to cooperatively participate in permanency plans for children; 4. Inability to meet the special needs of children in the child welfare system; 5. Failure to accept placement of a child for nine (9) or more months; 6. Insufficient income to meet financial obligations; 7. Medical problems (physical or mental) that inhibit the ability to care for the child; 8. Unstable or irresponsible lifestyle not conducive to mental, ethical, and emotional development (i.e., history of criminal activities, alcohol/drug abuse, multiple, short-term marriages or frequent separation, frequent moves without reasonable explanations); 9. Conflict or instability due to family crisis or personal hardship;

	<ol style="list-style-type: none"> 10. Failure to preserve the continuity and value of the child's spiritual, racial, ethnic, and/or cultural identity. 11. Failure to complete in-service training or requirements outlined in DCS Policy 16.8 Responsibilities of Approved Resource Parents; 12. Criminal charges or conviction, particularly those that may include crimes involving children, are drug related or are felony crimes against persons; 13. Special Investigations unit investigation case which indicated abuse or neglect, or 14. At the request of the resource parent.
C Corrective Action Plan	<ol style="list-style-type: none"> 1. In the event of problems arising in approved resource homes, the Placement Services Division (PSD) representative may develop a corrective action plan with the resource parents, which defines the areas to be improved and includes specific action steps to achieve improvement within specific time frames. 2. The corrective action plan must: <ul style="list-style-type: none"> ◆ Be reviewed and signed by the Team Leader, PSD staff, and the resource family. ◆ The plan may not exceed a 90 day timeframe 3. In cases of ICPC, a corrective action plan as defined should be developed mutually with and in conjunction with appropriate personnel in the Sending State who retain the responsibility to plan for the child/youth. The TN DCS Team Leader is responsible to coordinate review and signature of appropriate personnel in the Sending State. 4. If a corrective action plan is utilized, a summary of the outcome of the corrective action plan must be attached to the corrective action plan and added to the resource home case file to document the completion of the corrective action plan. 5. Corrective action may also be used when a family fails to meet the training requirements outlined in this policy. A corrective action plan will need to be developed for resource families who have not completed the required in-service training as outlined in DCS Policy 16.8 Responsibilities of Approved Resource Parents. 6. In cases of approved resource homes, a re-assessment form must be completed at the conclusion of the corrective action plan to document that all areas of compliance have been met. If the corrective action plan does not remedy the problems, the home study writer must initiate the closure process as outlined in Sections B and C of the procedural portion of this policy.

<p>D Scheduling a Conference with the Resource Family</p>	<ol style="list-style-type: none"> 1. If a justification for denial or closure appears to be present, the home study writer should discuss the concerns with the Team Leader/supervisor. 2. The home study writer can schedule a conference with existing resource families and the Team Leader/supervisor or a discussion of areas of concern may be discussed during a home visit for families still in home study process. 3. During the conference/discussion, the home study writer and Team Leader/supervisor should: <ol style="list-style-type: none"> a) Recognize the family's strengths in as positive a manner as possible; b) Review information which has created a concern; c) Allow the family to offer clarity, d) Attempt to identify possible solutions, and e) Inform the family of possible next steps. f) In cases of ICPC, the DCS Team Leader/supervisor will make every effort to include equivalent personnel from the Sending State in this meeting. 4. The home study writer and the Team Leader/supervisor must consider all the information and in cases where no other alternatives were possible, within five (5) calendar days of the conference, the home study writer must mail a letter to the family that details the reasons for denial or closure. The letter should also contain information regarding the family's right to a supervisory review and information about requesting that review. 5. In ICPC cases, a copy of the letter must be provided to the equivalent personnel in the Sending State by UPS overnight. The Team Leader and the Sending State Personnel will determine alternate placements for ICPC child/youth placed in the home including but not limited to: <ol style="list-style-type: none"> a) Return to the jurisdiction of the sending state, b) Re-placement in TN with another approved resource, or c) An emergency placement pending return to the Sending State. 6. Supervisory reviews are conducted by the Team Coordinator upon request of the family. Copies of reviews/results of review conducted by Team Coordinator are to be processed to the Sending State in cases of ICPC. <p>NOTE: Resource parents are not recipients of a service from DCS and, therefore, are not eligible for an administrative appeal.</p>
--	--

E Supervisory Review	<ol style="list-style-type: none"> 1. Upon request for a supervisory review, the Team Coordinator shall complete the review within fifteen (15) days. The resource family and up to three other people to act on their behalf may attend the review. One of the additional people may be an attorney, but the review is not to be considered an adversarial legal proceeding in nature. The home study writer and any other supervisory staff may attend at the discretion of the Team Coordinator. 2. The Team Coordinator, in collaboration with the Regional Administrator/designee, will make the final decision regarding denial or closure after reviewing DCS information and allowing the family to discuss their concerns. 3. Within ten (10) calendar days of the review, the Team Coordinator must send a letter to the family advising them of the outcome of the review. 4. Copies of reviews/results of review conducted by Team Coordinator are to be processed to the Sending State and the TN ICPC office for ICPC cases. 5. The Central Office Review Committee is available to provide assistance in cases where the decision is in question at the regional level.
F. Documentation and Case File Disposition	<ol style="list-style-type: none"> 1. The home study writer must clearly document in the resource home record the reasons an application is being denied or a home is being closed and maintain a copy of the written denial/closure letter that was mailed to the family. 2. Within thirty (30) days of a decision to close a resource home Central Office staff should assist the family in completing a Resource Parent Exit Interview, form CS-0693. In cases where families elect not to complete an exit interview, efforts made to encourage the family to provide the exit interview information must be documented. 3. The resource home section of TNKids must be updated. 4. In cases of closure, a REACT Family Status form, CS-0698 must be completed. 5. A copy of the closed resource home study records should be maintained in the area office closed files, for 25 years, in accordance with RDA 2877. In cases of adoption, court required original information must be sealed once the adoption is finalized, however copies of information should be retained.

Forms:	<u>CS – 0693 – Resource Parent Exit Interview</u> <u>CS - 0698 - REACT Family Status Form</u> <u>Note: Private Provider Agencies may use equivalent forms, provided the content of the forms capture the content of the forms listed above.</u>
Collateral Documents:	Corrective Action Plan (If Applicable) Any Training Verification